IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 5TH JULY 2007 / 14TH ASHADHA 1929

WP(C).No. 4474 of 2004(G)

PETITIONER:

ABDUL KHADER,
MOONUTHENGIL, PERIONGALA, KAYAMKULAM.

BY ADV. SRI.P.SREEKUMAR,
SRI.K.S.MANU.

RESPONDENTS:
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1. **THE SECRETARY,**
   KAYAMKULAM MUNICIPALITY.

2. **THE CHAIRMAN,**
   FINANCE COMMITTEE, KAYAMKULAM MUNICIPALITY.

BY ADV. SRI.R.RAYA SHENOY,
SRI.R.PRASANTH KUMAR,
SRI.R.SUDHIR SHENOI.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.4474/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE ORDER DTD. 06/11/2003 OF THE R.1.

EXT.P.2: COPY OF THE PETITION DTD. NIL. SUBMITTED BEFORE THE 1ST & 2ND RESPONDENTS.

EXT.P.3: COPY OF THE NOTICE DTD. 31/12/03 ISSUED BY THE R.1.

EXT.P.4: COPY OF THE REQUEST DTD. 01/01/2004 SUBMITTED BEFORE THE R.1.

EXT.P.5: COPY OF THE NOTICE DTD. 07/01/04 OF THE R.1.

EXT.P.6: COPY OF THE PETITION DTD. 27/01/2004 SUBMITTED BY THE PETITIONER.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

P.A. TO JUDGE.

prv.

Thottathil B. Radhakrishnan, J.

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W.P.(C)No.4474 of 2004

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Dated this the 5th day of July, 2007.

JUDGMENT

Petitioner bid the right to collect fee from a market of Kayamkulam Municipality for the year 2003-04. He did not remit the amounts due. The Municipality accordingly took action against him and issued the impugned decisions. They also issued notice for recovery of the differential on account of re-acution. I find no legal infirmity or jurisdictional error in the impugned action. Writ petition fails. It is hence dismissed. No costs.

Thottathil B.Radhakrishnan,
Judge.

sl.

Thottathil B. Radhakrishnan, J.

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W.P.(C)No.4474 of 2004

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JUDGMENT

Dated:5-7-2007